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PTO/SB/21 (6/98)

Approved for use through 9/30/2000. OMB 0651-0031

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# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in this Submission: 4

Application No.	09/901,962
Filing Date	July 10, 2001
First Named Inventor	David Sacks
Group Art Unit	2164
Examiner Name	

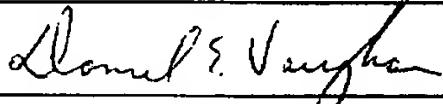
Attorney Docket No. PAY00-004

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers for an application	<input type="checkbox"/> After-Allowance Communication to Group
<input type="checkbox"/> Fee attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavit/Declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers	<input type="checkbox"/> Additional Enclosure(s):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Return Receipt Postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> _____
<input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## Remarks:

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Name	Daniel E. Vaughan (Registration No. 42,199)	Date	December 17, 2005
Signature		Telephone	510-790-9960
Address	39180 Liberty Street, Suite 103, Fremont, CA 94538	Facsimile	510-790-9964

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the U. S. Postal Service via  Express Mail (No. EL xxx yyy zzz US) or Facsimile to 571-273-8300, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on: December 17, 2005

Type or Printed Name	Daniel E. Vaughan	Signature	
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DEC 17 2005

Attorney Docket No.: PAY00-004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David Sacks  
Application No. : 09/901,962  
Filed : July 10, 2001  
Docket : PAY00-004  
Title : System and Method for Third-Party Payment Processing  
  
Group/Art Unit : 2164  
Examiner :

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

Listed below and/or on an attached form PTO/SB/08A is information known to applicant(s), which is hereby submitted pursuant to 37 C.F.R. § 1.56. The right is reserved to antedate any included publication or patent in accordance with standard procedure.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56.

X *(New Application)* Copies of each listed reference, except for issued U.S. patents and pending or published U.S. applications, are submitted herewith, along with a concise explanation of information in a foreign language (if any).

       *(Continuation Application)* The listed references were cited by the Applicant(s) or Examiner in the parent application, U.S. Serial No. \_\_\_\_\_, filed on \_\_\_\_\_. Pursuant to 37 C.F.R. § 1.98(d), copies of these items are not enclosed but may be found in the file history of the parent application.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the application identified above. If form PTO/SB/08A is attached, the Examiner is requested to initial and return it in accordance with MPEP § 609.



**37 C.F.R. § 1.97(b).** No fee is believed due, because (check all that apply):

- (1) It is being filed within 3 months of the application filing date; OR
- (2) It is being filed within 3 months of entry of a national stage; OR
- (3) It is being filed before the mailing date of the first Office Action on the merits.



**37 C.F.R. § 1.97(c).** If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first office action on the merits, but before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- a certification as specified in 37 C.F.R. § 1.97(e) is provided below; or
- a fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.



**37 C.F.R. § 1.97(d).** If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:

- a certification as specified in § 1.97(e) is completed below; and
- a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.



**Statement under 37 C.F.R. § 1.97(e).** I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in section 1.56(c) more than three months prior to the filing of the information disclosure statement:

Signature: \_\_\_\_\_  
Daniel E. Vaughan (Reg. No. 42,199)

Date: \_\_\_\_\_

Respectfully submitted,

Date: December 17, 2005

By: Daniel E. Vaughan  
Daniel E. Vaughan (Reg. No. 42,199)

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PTO/SB/08A (07-05)

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Substitute for form 1449/PTO		<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	09/901,962
		Filing Date	July 10, 2001
		First Named Inventor	David Sacks
		Art Unit	2164
		Examiner Name	
Sheet	1	of	1
		Attorney Docket Number	PAY00-004

<b>Examiner Signature</b>		<b>Date Considered</b>	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.